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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/706,612	11/12/2003	Jom Maeritz	10808/112	5872
48581 7	590 10/17/2006		EXAMINER	
BRINKS HOFER GILSON & LIONE			SCHILLINGER, LAURA M	
INFINEON PO BOX 1039:	5		ART UNIT	PAPER NUMBER
CHICAGO, IL 60610			2813	
		•	DATE MAILED: 10/17/2000	6

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	10/706,612	MAERITZ, JORN				
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	Laura M. Schillinger	2813				
The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress			
THE REPLY FILED <u>27 September 2006</u> FAILS TO PLACE THI		•				
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of						
this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliance time periods:	wing replies: (1) an amendment, aff stice of Appeal (with appeal fee) in one see with 37 CFR 1.114. The reply mu	fidavit, or other eviden compliance with 37 Cf	ce, which FR 41.31; or (3)			
a) The period for reply expiresmonths from the mailing	g date of the final rejection.					
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la	ater than SIX MONTHS from the mailing	g date of the final rejection	on.			
Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 7)	06.07(f).					
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropri	ate extension fee			
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS</li> </ol>	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	s of the date of e appeal. Since			
3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief.	will not be entered be	ecause			
(a) They raise new issues that would require further co	nsideration and/or search (see NO	TE below);				
(b) They raise the issue of new matter (see NOTE below);						
(c) They are not deemed to place the application in bet appeal; and/or	tter form for appeal by materially re	ducing or simplifying t	he issues for			
(d) ☐ They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).		ected claims.				
4. The amendments are not in compliance with 37 CFR 1.13	21. See attached Notice of Non-Co	mpliant Amendment (	PTOL-324).			
<ul><li>5. Applicant's reply has overcome the following rejection(s)</li><li>6. Newly proposed or amended claim(s) would be al</li></ul>		Almondo Elondonos dos o				
non-allowable claim(s).			_			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows:	☑ will not be entered, or b) ☐ wil vided below or appended.	ll be entered and an e	xplanation of			
Claim(s) allowed: Claim(s) objected to:						
Claim(s) rejected: <u>1-8</u> .						
Claim(s) withdrawn from consideration: 9-11.						
AFFIDAVIT OR OTHER EVIDENCE						
<ol> <li>The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	t before or on the date of filing a No d sufficient reasons why the affidav	otice of Appeal will <u>not</u> it or other evidence is	t be entered necessary and			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome all rejections under appea	al and/or appellant fail	s to provide a			
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after er	ntry is below or attach	ed.			
11.   The request for reconsideration has been considered bu See Continuation Sheet.	t does NOT place the application in	n condition for allowan	ce because:			
12.  Note the attached Information Disclosure Statement(s).		a i	1			
13.  Other:	~ \	Laura M Schillinger	alul_			
	(X	Primary Examiner				
		Art Unit: 2813				

Continuation of 11. does NOT place the application in condition for allowance because: The randomly selected wafers is the equivalent of a best characterization of the condition of the wafers of the lot. The random selection ensures that the condition of the lot of wafers is represented and hence is a best characterization of the lot of wafers.